

FILED

United States District Court

FEB 8 2007

MIDDLE

DISTRICT OF

ALABAMA

CLERK

U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

UNITED STATES OF AMERICA

v.

KHALED URCUYO-CALDERA

CRIMINAL COMPLAINT

CASE NUMBER: 2:07mj14-SRW

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 7, 2007, in Montgomery county and elsewhere within the Middle District of Alabama defendant(s) did, (Track Statutory Language of Offense) knowingly possess a fraudulent Alien Registration Receipt card, in violation of Title 18 United States Code, Section(s) 1546(a). I further state that I am a(n) ICE Special Agent and that this complaint is based on the following facts:
Official Title

SEE ATTACHED AFFIDAVIT WHICH IS INCORPORATED BY REFERENCE

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No


Signature of Complainant

Sworn to before me and subscribed in my presence,

February 8, 2007 at
Date

Montgomery, Alabama
City and State

Susan Russ Walker, U. S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

I, David E. Henderson, being duly first sworn, do hereby state and affirm that:

I am a duly sworn Special Agent of the U.S. Immigration and Customs Enforcement (ICE) assigned to the office of the Resident Agent in Charge, Mobile, Alabama. I have been employed as a federal agent for approximately six years. One of my principal assignments has been to conduct criminal investigations of persons involved in violation of the United States Code relating to Title 8 - Aliens and Nationality along with other violations of federal law.

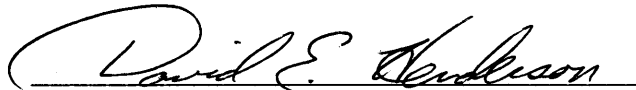
On February 7, 2007, U.S. Customs and Border Protection (CBP) Border Patrol agent K. Douglas encountered a Hispanic male in the course of routine immigration checks at the Greyhound bus station in Mobile, Alabama. According to Agent Douglas, he encountered the Hispanic male who was in possession of a Permanent Resident card bearing the name of Khaled URCUYO and Alien registration number A097 652 843. Agent Douglas made copies of the Permanent Resident card and subsequently released the subject. Upon conducting immigration records checks, it was revealed that Alien registration number A097 652 843 was not registered to Khaled URCUYO. Agent Douglas then contacted me and advised me that the subject was on Greyhound Bus number 7117 en route from Mobile to Montgomery, Alabama.

On the same date, I observed Greyhound bus number 7117 arrive at the bus terminal located at 950 West South Boulevard in Montgomery, Alabama. I then observed a Hispanic male matching the description provided by Agent Douglas exit the bus and proceed into the terminal. I then approached the subject and asked him for identification. The subject produced a Permanent Resident Card bearing the name of Khaled URCUYO. I then placed the subject under arrest and transported him to the Montgomery ICE office for further investigation.

Upon arriving at the Montgomery ICE office, I advised URCUYO of his constitutional rights, as per Miranda. URCUYO acknowledged orally and in writing that he understood his rights and proceeded to make a voluntary statement. URCUYO stated that he was a native and citizen of Nicaragua who had entered the United States on or about

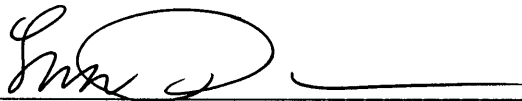
September 21, 1994 at Miami, Florida on a valid visa. URCUYO further stated that his visa had since expired and that he had remained in the United States illegally. URCUYO stated that he had purchased the Permanent Resident card and a Social Security card from a Hispanic male in Tuscaloosa, Alabama for approximately \$230.00. URCUYO stated that he was aware that the Permanent Resident card and Social Security card were, in fact, fraudulent. Checks of the immigration system reveal that URCUYO has not been granted permission to lawfully remain in the United States.

Based on the foregoing, I have probable cause to believe that Khaled URCUYO-Caldera is in violation of, but not limited to, Title 18 U.S.C. 1546(a), possession of a Fraudulent Alien Registration Receipt card. The penalty, upon conviction, for this offense shall be a fine under Title 18, or imprisoned not more than 15 years, or both.



David E. Henderson, Affiant
U.S. Department of Homeland Security
Immigration and Customs Enforcement

Sworn to and subscribed before me
this 8th day of February, 2007.



United States Magistrate Judge